

Message Text

CONFIDENTIAL

PAGE 01 USUN N 03832 090015Z

73

ACTION IO-03

INFO OCT-01 EUR-10 ISO-00 CIAE-00 DODE-00 PM-03 H-01

INR-10 L-02 NSAE-00 NSC-07 PA-01 RSC-01 PRS-01 SP-02

SS-14 OIC-01 DLOS-03 AF-04 ARA-10 EA-07 NEA-06 INT-01

FEA-01 AID-05 CEQ-01 COA-01 COME-00 EB-03 EPA-01

NSF-01 SCI-03 ACDA-10 AEC-05 AGR-03 DOTE-00 FMC-01

JUSE-00 OMB-01 CIEP-01 CEA-01 TRSE-00 SSO-00 NSCE-00

USIE-00 INRE-00 DRC-01 /127 W
----- 046321

O R 082325Z OCT 74

FM USMISSION USUN NY

TO SECSTATE WASHDC IMMEDIATE 6116

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

C O N F I D E N T I A L USUN 3832

E.O. 11652: GDS

TAGS: PLOS UN

SUBJ: DEPENDENT TERRITORY OBSERVERS AT LOS CONFERENCE

REF: USUN 3727 (NOTAL)

SUMMARY: (A) UKUN IS ANTICIPATING INSTRUCTIONS TO PROPOSE THAT UNGA'S LAW OF THE SEA CONFERENCE RESOLUTION, WHICH IS BEGINNING TO BE DISCUSSED IN CORRIDORS, SHOULD INCLUDE A PARAGRAPH INVITING DEPENDENT TERRITORIES GENERALLY TO PARTICIPATE IN 1975 SESSIONS OF THE CONFERENCE AS OBSERVERS. BELIEVE IMMEDIATE DISCUSSION WITH UK IS NEEDED IF DEPARTMENT HAS DIFFICULTY WITH BRITISH IDEA. (B) ON POSSIBLE 1975 SUMMER SESSION, IT SEEMS LIKELY AUSTRIA WILL NOT OFFER VIENNA UNLESS A DECISION IS TAKEN AT CURRENT GA WHICH WOULD EXPRESSLY
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 03832 090015Z

NAME VIENNA AND SPECIFYING AT LEAST A RANGE OF DATES. END SUMMARY.

1. MISOFF JOINED DISCUSSION 8 OCT CALLED BY AUSTRALIA WITH NETHERLANDS, NEW ZEALAND AND UK ON INVITATIONS ISSUE RAISED IN OPERATIVE PARA 2 OF AMERASINGHE'S DRAFT UNGA LOS RES FOR CONFERENCE'S WORK IN 1975 (REFTEL). WILL BE RECALLED THAT LOS CONFERENCE AT CARACAS DECIDED TO INVITE PARTICIPATION OF PAPUA NEW GUINEA, NETHERLANDS ANTILLES, SURINAM AND COOK ISLANDS. AMERASINGHE'S OPERATIVE PARA 2 REFLECTS THAT DECISION IN FOLLOWING: TERMS:

"APPROVES THE RECOMMENDATION OF THE CONFERENCE THAT:

(A) PAPUA NEW GUINEA, WHICH IS ALREADY CONDUCTING ITS OWN RELATIONS AS AN INDEPENDENT NATION, SHOULD BE INVITED, IF INDEPENDENT, TO ATTEND ANY FUTURE SESSION OF THE CONFERENCE AS A PARTICIPATING STATE OR, IF NOT YET INDEPENDENT, TO ATTEND AS AN OBSERVER;

(B) THE COOK ISLANDS, SURINAM, THE NETHERLANDS ANTILLES AND THE WEST INDIES ASSOCIATED STATES SHOULD BE INVITED TO ATTEND ANY FUTURE SESSION OF THE CONFERENCE AS OBSERVERS OR, SHOULD THEY BY THAT TIME BE INDEPENDENT, TO ATTEND AS PARTICIPATING STATES;"

2. AUSTRALIAN PARTICIPANT SAID GOA HAD FOUND THAT PORT MORESBY WANTED MORE EMPHASIS PUT ON FORTHCOMING INDEPENDENCE OF PAPUA NEW GUINEA. ALSO, NEW ZEALAND HAS DECIDED TO SEEK INCLUSION OF NIUE ALONG WITH COOK ISLANDS SINCE DURING CURRENT MONTH NEW CONSTITUTION FOR NIUE WILL ENTER INTO FORCE WITH PROVISIONS ON SELF-GOVERNMENT AND INDEPENDENCE POTENTIAL SIMILAR TO THOSE OF COOK ISLANDS CONSTITUTION. AUSTRALIA AND NEW ZEALAND MISOFFS THUS PROPOSED FOLLOWING REOWR딩 OF AMERASINGHE TEXT:

"DECIDES TO REQUEST THE SECRETARY-GENERAL TO INVITE:

(A) PAPUA NEW GUINEA TO ATTEND ANY FUTURE SESSIONS OF THE CONFERENCE, IF INDEPENDENT, AS A PARTICIPATING STATE, AND, WHILE NOT INDEPENDENT, TO ATTEND AS AN OBSERVER; AND (B) THE COOK ISLANDS, SAMOA, THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 03832 090015Z

NETHERLANDS ANTILLES AND THE WEST INDIES ASSOCIATED STATES TO ATTEND ANY FUTURE SESSION OF THE CONFERENCE AS OBSERVERS, OR, IF ANY OF THEM BECOME INDEPENDENT, AS PARTICIPATING STATES".

UK AND DUTCH PARTICIPANTS FORESAW NO PROBLEMS BUT UNDERTOOK TO CHECK WITH CAPITALS FOR FURTHER DISCUSSION, POSSIBLY ON 10 OCT.

3. STRESSING HE SPEAKING AD REFERENDUM, MISOFF SUGGESTED
ADDING FOLLOWING ADDITIONAL SUBPARA:
"(C) THE TRUST TERRITORY OF THE PACIFIC ISLANDS
TO ATTEND FUTURE SESSIONS OF THE CONFERENCE AS
AN OBSERVER".

IN RESPONSE TO AUSTRALIAN QUESTION, MISOFF SAID INCLUSION
OF TTPI IN SUBPARA (B) WOULD NOT BE PRACTICABLE BECAUSE MENTION OF
"INDEPENDENCE" COULD CREATE SERIOUS PROBLEMS.
WHEN AUSTRALIAN SAID GOA POLICY COULD MAKE IT DIFFICULT
FOR AUSTRALIA TO APPEAR TO BE SUPPORTING CONFERENCE
PARTICIPATION BY A DEPENDENT TERRITORY WHOSE ATTAINMENT
OF INDEPENDENCE OVER A LENGHTY PERIOD OF TIME WOULD
APPEAR TO BE EXCLUDED, MISOFF PROPOSED SUBPARA (C)
READ: "THE TRUST TERRITORY OF THE PACIFIC ISLANDS TO
ATTEND SESSIONS OF THE CONFERENCE IN 1975 AS AN OBSERVER"
SINCE USG IN ANY EVENT WISHES CONFERENCE TO
COMPLETE ITS BUSINESS NO LATER THAN NEXT YEAR.

4. POTENTIALLY SERIOUS PROBLEM REQUIRING DEPARTMENT
CONSIDERATION WAS POSED BY UKUN WHICH, ANTICIPATING
INSTRUCTIONS, PROPOSED ADDING A NEW PARA (PRESUMABLY
AS PARA 4) TO AMERASINGHE TEXT TO READ:

"DECIDES TO REQUEST THE SYG, IN VIEW OF THE VITAL
IMPORTANCE OF THE CONFERENCE TO DEPENDENT
TERRITORIES, TO ISSUE INVITATIONS TO ADMINIS-
TERING POWERS WITH A VIEW TO ENABLING THEM TO
INVITE THEIR DEPENDENCIES, AS APPROPRIATE, TO
ATTEND THE CONFERENCE".

BRITISH PARTICIPANTS SAID THEIR LOS EXPERTS BELIEVE
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 03832 090015Z

PARTICIPATION BY BRITISH DEPENDENT TERRITORIES WOULD
BE USEFUL AND HELPFUL TO SHARED VIEWS ON LOS ISSUES.
THEY EXPLAINED FOREGOING WORDING IS DESIGNED (A) TO
APPLY ONLY TO LOS CONFERENCE AND NOT TO SET A PRECEDENT
FOR UN CONFERENCES ACROSS THE BOARD (THUS THEIR
LANGUAGE "IN VIEW OF THE VITAL IMPORTANCE OF THE
CONFERENCE TO DEPENDENT TERRITORIES"); (B) TO HAVE
INVITATIONS CHanneled BY UN SYG TO ADMINISTERING
AUTHORITIES, NOT DIRECTLY TO DEPENDENT TERRITORIES;
AND (C) TO EXCLUDE CONTESTED TERRITORIES EG FALKLANDS,
BELIZE, GIBRALTAR (THUS "DEPENDENCIEES, AS APPROPRIATE")
AND THEREBY AVOID OPPOSITION BY ARGENTINA, GUATEMALA AND
SPAIN. MISOFF SAID HE WOULD LIKE WASHINGTON TO HAVE
AN OPPORTUNITY TO CONSIDER BRITISH SUGGESTION BEFORE
IT IS MADE TO WIDER GROUP, WHICH MIGHT OTHERWISE BE

PRECLUDED. HE SUGGESTED PRINCIPAL DIFFICULTIES ARE POLITICAL IMPOSSIBILITY OF LIMITING THIS IDEA TO LOS CONFERENCE, LIKELIHOOD OF AMENDMENT BEING PRESSED AND ADOPTED WHICH WOULD HAVE SYG SEND INVITATIONS DIRECTLY TO NON-SELF-GOVERNING TERRITORIES, AND PROBLEMS CREATED FOR US BY POSSIBLE PRESSURES FOR OBSERVER STATUS FROM AMERICAN SAMOA, GUAM AND US. VIRGIN ISLANDS.

5. COMMENT: ALTHOUGH FOLLOWING MUST BE PROTECTED, WE UNDERSTAND FROM UKUN THAT THEIR SUGGESTION MAY BE DISCUSSED AT 10 OCT AM MTG OF EC-9 AMBASSADORIAL GROUP. BELIEVE THAT DEPARTMENT MAY WISH TO CONSIDER DISCUSSING FURTHER WITH BRITISH BEFORE EC-9 DISCUSSION TAKES PLACE. ONE POSSIBILITY MIGHT BE TO SUGGEST THAT UK SIMPLY TAKE DECISION TO INCLUDE REPS OF APPROPRIATE BRITISH NSGT'S ON THEIR LOS DEL; ANOTHER WOULD BE THAT GA RES RECOMMEND THAT NSGT'S NOT OTHERWISE PRESENT AS OBSERVERS AT CONFERENCE SHOULD BE REPRESENTED ON DELS OF ADMINISTERING AUTHORITIES. END COMMENT.

6. AUSTRIAN MISSION INFORMS THEY HAVE RECOMMENDED TO VIENNA THAT GOA NOT RPT NOT AGREE TO HOST A LATE-SUMMER 1975 SESSION OF THE CONFERENCE UNLESS THE CURRENT GA RES EXPRESSLY MENTIONS VIENNA AND THE CONFIDENTIAL

CONFIDENTIAL

PAGE 05 USUN N 03832 090015Z

DATES (SEE AMERASINGHE OPERATIVE PARA 2). THEY REALIZE THERE MAY BE GREAT UNWILLINGNESS ON PART OF MANY TO AGREE NOW THAT A JULY/AUGUST SESSION WILL BE NECESSARY BUT SAY THAT SECURING CONFERENCE, OFFICE AND HOTEL ACCOMMODATIONS IN VIENNA COULD NOT REASONABLY BE DELAYED CONTINGENT UPON A DECISION TO BE TAKEN AS LATE AS END OF GENEVA SESSION IN MAY.
SCALI

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, INVITATIONS, DEPENDENCIES, MEETING OBSERVERS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN03832
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740285-0975
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741062/aaaacary.tel
Line Count: 210
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: USUN 3727 (NOTAL)
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 20 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 MAR 2002 by martinml>; APPROVED <22 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DEPENDENT TERRITORY OBSERVERS AT LOS CONFERENCE
TAGS: PLOS, PORG, XX, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005